

Boxborough Board of Appeals
Meeting Minutes
May 22, 2012

Members present: Tom Gorman, Chris Habersaat, Kristin Hilberg, Michael Toups, Lonnie Weil, Karen Warner.

Also present: Elizabeth Hughes, Town Planner.

Chairman Tom Gorman called the meeting to order at 7:25 pm.

The Board discussed the upcoming summer schedule and decided to meet once in July on the 10th.

Upon motion duly made by Tom and seconded by Karen, the Board voted to approve the minutes of May 1, 2012.

At 7:30 the Board reconvened the hearing for 94 – 100 Chester Road on the Morans' application for a Variance for a longstanding setback nonconformity to a single family dwelling and a Special Permit for two reduced frontage lots.

Ms. Vorce, representing the Morans, reviewed her March 30, 2012 letter to the Board, explaining and responding to questions and concerns raised at the previous hearing.

Ms. Vorce discussed the ConsCom ANRAD plan in an effort to demonstrate that sufficient upland exists to justify design of a house lot. The intent is to subdivide a reduced frontage lot, leaving the Morans' property as a conforming lot.

Ms. Vorce alternatively suggested the possible development of a three-lot ANR subdivision, with access from Meadow Lane. Chris asked why the applicant didn't just create the three lots. Ms. Vorce responded that the Morans are trying to respect the Town's and neighborhood concerns by simply submitting the reduced frontage lot. In any event, Ms. Vorce confirmed that no formal proposals have been presented to the Planning Board.

Ms. Vorce urged that the Morans bought the land as an investment and should have the right to benefit from it. She contended that the neighborhood will not be adversely affected, but merely changed. In her view, the benefit to the town in creating two large lots would be to give the neighborhood several large lots. Chris disputed her contention, concurring with the Planning Board's interpretation that one large 17 acre parcel provides a better benefit. He questioned how the creation of two lots would result in a benefit.

Ms. Vorce said the alternative three-lot ANR would be more adverse than the Morans' current proposal.

The Board thereupon invited comment from members of the public who were in attendance.

Land donation and agricultural rights to forestry/timber land were also discussed during the meeting. Ms. Vorce stated the land is under Chapter 60 and, if owner decided to sell, the town would have right of first refusal.

Elizabeth Hughes, Town Planner, pointed out that the Morans' Special Permit application actually requested approval for two building lots. The application would therefore need to be revised to reflect the Morans' desire for the creation of one buildable lot and one forestry lot. Ms. Hughes suggested the possibility that the Morans file their proposal with the Planning Board instead.

Tom and Chris would like a better sense of what the build-out plans really are going to be, including but not limited to information concerning the location of the house, septic systems and the like. Ms. Vorce responded by expressing the Morans' goal of first, obtaining a reduced frontage lot Special Permit, and second, allowing purchaser to decide on building plans.

The ZBA had received letters from the Delaney family in opposition to the Morans' application and considered that the Morans be provided with an opportunity to read and respond to the concerns raised in the letter.

Upon motion duly made by Tom and seconded by Michael, it was unanimously voted to continue the hearing on June 12, 2012 at 7:30 pm.

Upon motion duly made by Tom and seconded by Chris, it was voted unanimously to adjourn the meeting at 8:45 p.m.

On behalf of the Zoning Board of Appeals,

Tom Horman
Approved

June 12 2012
Date